

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STANLEY JOHNSON	:	CIVIL ACTION
Petitioner,	:	
	:	
vs.	:	
	:	
PA BOARD OF PAROLE,	:	
R. SHANNON, SUPT.	:	
THE DISTRICT ATTORNEY OF	:	NO. 05-2450
PHILADELPHIA _____ and,	:	
THE ATTORNEY GENERAL OF	:	
THE STATE OF PENNSYLVANIA	:	
Respondents.	:	

ORDER

AND NOW, this 13th day of December, 2005, upon careful and independent review of the record in this case, and the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated October 26, 2005, no objections having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated October 26, 2005, is **APPROVED** and **ADOPTED**, subject to the corrections noted in the footnote;¹
2. The Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 filed by petitioner, Stanley Johnson, is **DENIED**; and,

¹The word “inception” is substituted for the word “reception” in the first line of the first full paragraph on page 3; and, the word “liberty” is substituted for the word “liability” in the first sentence of the last paragraph on page 4.

3. Because petitioner has failed to make a substantial showing of the denial of a constitutional right, there is no basis for issuing a certificate of appealability.

BY THE COURT:

/s/ Honorable Jan E. DuBois
JAN E. DUBOIS, J.